

REMARKS

Reconsideration of the present application is requested. Claims 1-10 and 12-21 have been canceled without prejudice or disclaimer. Claims 22-30 have been added. Claim 11 has been amended. Example support for amended claim 11 and new claims 22-30 may be found on pages 5-9 of Applicants' Specification.

DRAWINGS, IDS, AND PRIORITY DOCUMENTS

The Examiner has acknowledged Applicants' claim for foreign priority and receipt of the necessary priority documents. The Examiner has considered the IDS filed February 23, 2004. The Examiner has accepted the drawings.

CLAIM OBJECTIONS

The Examiner objects to claims 3-5 due to minor informalities. These claims have been canceled without prejudice or disclaimer rendering this objection moot.

PRIOR ART REJECTIONS

Claims 1-21 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent No. 5,962,172 ("Nakao"). As noted above, claims 1-10 and 12-21 have been canceled without prejudice or disclaimer, and claim 11 has been amended. Applicants respectfully traverse the rejection of claim 11, especially in view of claim 11 as amended.

Referring to FIGS. 13 and 14, Nakao discloses a vector scan electron beam (EB) drawing device 801 including deflection electrodes 803, a beam generator 804 and a stage 805. The beam generator 804 generates square electron beams 802, which reach mask blank 604. Deflection electrodes 803 change the travel direction of electron beams in accordance with the drawing pattern based on drawing data 602 received from beam control means 701.

In another embodiment, referring to FIG. 17, a raster scan EB drawing device 719 includes a beam generator 717, deflection electrodes 722 and a stage 718. The beam generator 717 generates electron beams 721 in a linear form. To draw the predetermined figures, the electron beams 712 reciprocate in one drawing unit 620, and then move to the next drawing unit 620.

Contrary to claim 11, Nakao does not disclose or even fairly suggest any spatial light modulator (SLM) or the use thereof to project an image on a workpiece. Rather, Nakao discloses a vector scan electron beam (EB) drawing device 801 and a raster scan EB drawing device 719. These scanning devices do not include any SLM nor do they project an image of an SLM on a workpiece. Absent any disclosure of an SLM or use thereof, Nakao cannot be said to disclose or fairly suggest at least "projecting the image of the SLM on the workpiece, wherein the higher deflection in the micromechanical pixel element is corresponding to a negative amplitude contribution to the wavefront of the image of the SLM projected on the workpiece," as required by claim 11.

Because Nakao does not disclose at least this feature, claim 11 is patentable over Nakao.

NEW CLAIMS 22-30

Applicants have added new claims 22-30 by way of this response. New claims 22-29 are patentable at least by virtue of their dependency from claim 11, as well as on their own merits. Claim 30 requires, *inter alia*, "a spatial light modulator (SLM) adapted for receiving the multi-valued bitmap representation of the image, wherein a pixel value in the multi-valued bitmap representation of the image is used for generating a higher deflection in a micromechanical pixel element." Contrary to claim 30, as discussed above, Nakao fails to disclose or fairly suggest any SLM whatsoever. Accordingly, Nakao fails to anticipate claim 30.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of the pending claims in connection with the present application is earnestly solicited.

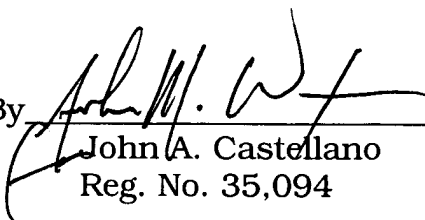
Pursuant to 37 C.F.R. §1.17 and 1.136(a), Applicant(s) hereby petition(s) for a two (2) month extension of time for filing a reply to the outstanding Office Action and submit the required \$490.00 extension fee herewith.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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